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PART - IV

GOVERNMENT OF MEGHALAYA DISTRICT COUNCIL AFFAIRS DEPARTMENT ORDERS BY THE GOVERNOR

NOTIFICATION

The 30th September, 2013.

No.DC/XXXVII/H/151/2012-13/7.—It is hereby publicly notified that in exercise of the power conferred upon it by Rule 29 and Rule 30(a) of Assam/Meghalaya Autonomous District (Constitution of District Councils) Rule 1951 as amended read with Section 9 of The Khasi Hills Autonomous District (Protection and Promotion of Khasi Traditional Medicine) Act, 2011, the Executive Committee, Khasi Hills Autonomous District Council deems it expedient to notify The Khasi Hills Autonomous District (Protection and Promotion of Khasi Traditional Medicine) Rules, 2013 herein below.

This order shall come into force with immediate effect.

R. PYNGROPE,

Deputy Chief Executive Member Khasi Hills Autonomous District Council, Shillong.

THE KHASI HILLS AUTONOMOUS DISTRICT (PROTECTION AND PROMOTION OF KHASI TRADITIONAL MEDICINE) RULES, 2013.

1. SHORT TITLE AND COMMENCEMENT:-

- 1. These Rules shall be called The Khasi Hills Autonomous District (Protection and Promotion of Khasi Traditional Medicine) Rules, 2013.
- 2. They shall have the like extent as the Principal Act.
- 3. They shall come into force from the date of publication in the Gazette of Meghalaya.

2. **DEFINITIONS:-**

In these Rules unless there is anything repugnant to the subject and useless the context otherwise requires, words and expressions used in the Principal Act and not defined in these Rules shall have the same meaning as assigned to them in the Principal Act and further the following words and expression as respectively assigned hereunder:-

- a) "Act" means the Khasi Hills Autonomous District (Protection and Promotion of Khasi Traditional Medicine) Act, 2011.
- b) "Affiliated Institute" means the institute to which the Khasi Traditional Medicine Institute is to be affiliated.

- c) following-Statutory/Regulatory norms.
- d) "Commission" means the Khasi Traditional Medicine Commission constituted under Section 3 of the Act.
- e) "Executive Committee" means the Executive Committee of the Khasi Hills Autonomous District Council as defined under the Assam and Meghalaya Autonomous District (Constitution of District Councils) Rule, 1951.
- f) "Form" means a form appended to these Rules.
- g) "Head" means the Director/Principal heading the administration of the Khasi Traditional Medicine Institute.
- h) "Institute" means the Khasi Traditional Medicine Institute established under Section 5 of the Act.
- i) "Managing committee" means the body of individuals who are entrusted with the management of the Khasi Traditional Medicine Institute.
- j) "Rules" means The Khasi Hills Autonomous District (Protection and Promotion of Khasi Traditional Medicine) Rules, 2013.
- k) "Section" means a section of the Khasi Hills Autonomous District (Protection and Promotion of Khasi Traditional Medicine) Act, 2011.
- I) "Statutes", "Ordinances" and "Regulations" mean respectively, the Statutes, Ordinances and Regulations of the Institute for the time being in force.
- m) "Statutory/Regulatory" means a body so constituted by a Central/State Government Act for setting and maintaining standards in the relevant areas of higher education such as All India Council for Technical Education (AICTE), Medical Council of India (MCI), Dental Council of India (DCI), National Council for Teacher Education (NCTE), Bar Council of India (BCI) etc.

3. KHASI TRADITIONAL MEDICINE COMMISSION:-

- (1) The Commission shall be a body corporate in its name with common seal and succession which can sue or be sued in its corporate name.
 - a) The tenure of the Commission shall be for 3 (Three) years from the date of its Constitution and Notification.
 - b) The Commission constituted shall meet once every three months or as and whenever required.
 - c) The members of the Commission shall be paid a sitting allowance of as fixed by the Executive Committee.
 - d) The Chairman shall be paid a monthly honorarium and as fixed by the Executive Committee.

- e) The Commission may appoint a contractual Technical Officer suitably qualified and knowledgably sound on issues of plants and flora of the State. The candidate should essentially be a postgraduate in Botany/Forestry/Environment Science with 5 (five) years of research experience. He will assist the Commission in but not confined to only:
 - i. Writing its technical reports,
 - ii. Organizing logistics for meetings, conferences, seminars etc,
 - iii. His remuneration shall be as fixed by the Commission.
- (2) The Commission shall endeavor to implement the powers, functions, duties, role and responsibilities as empowered under the Act and may with the approval of the Executive Committee, frame guidelines, norms, standards and policies for effective implementation of the Act.
- (3) The Commission shall receive an annual budgetary allocation from the District Council and may also raise its own funds for the purpose of implementation of the Act.
 - a. The funds of the Commission shall be kept in a joint account with any nationalized bank as by resolution may decide.
 - b. All fees or any money realized or received by the Commission shall be credited to the account maintained under Sub-Rule (a) of Rule 3 above.
 - c. The annual audited statement of account of the Commission shall be submitted to the District Council for approval.
 - d. The Commission shall prepare and annual report and submit the same to the Executive Committee.
- (4) The Commission shall from time to time initiate inspection on issues under the provision of Sub-section (2) of Section 3 of the Act and may advice the District Council on the matter.
- (5) The Commission shall scrutinize the accreditation process provided under Section 5 of the Act.
 - (i) Any institute or agency seeking accreditation, should apply to the Commission in standard format.
 - (ii) Submitted application(s) shall be evaluated by the Secretary of the Commission and the report thereof be presented to the Commission for consideration. The commission shall after inspection of the said institute or agency submits its report and recommendation to the District Council for approval.

4. REGISTRATION OF KHASI TRADITIONAL MEDICINE PRACTITIONERS:-

1. Every application for registration as a Khasi Traditional Medicine Practitioner shall be submitted to the Secretary of the Commission in the format appended to these rules as *Appendix 'A 'accompanied by a non-refundable fee to be fixed by the Commission.*

- 2. The Secretary on receiving such applications shall place the same before the Commission for consideration after being satisfied that the practitioner has the required requisite expertise as per parameters and standard set by it.
- 3. All registered practitioners shall be issued with a certificate bearing a registration number and a registration card in the format appended to these Rules as *Appendix 'B'* and *Appendix 'C'* respectively on payment of a fee to be fixed by the Commission.
- 4. If the Commission refuses to grant registration and certificate applied for, the same shall be communicated to the applicant in writing stating the grounds and reasons thereof.
- 5. The Commission shall keep a Register for making entries of the persons who had been registered as Khasi Traditional Medicine Practitioner as per format prescribed at *Appendix-'D'* herewith.

5. KHASI TRADITIONAL MEDICINE INSTITUTE:-

- (1) The Institute shall be a body corporate in its name with common seal and succession which can sue or be sued in its corporate name.
- (2) The management and administration of the Institute shall lie with the Managing Committee consisting of the following:
 - a) Chairman to be nominated by the Institute or parent University and approved by the Executive Committee on the recommendation of the Commission.
 - b) Secretary nominated by the Institute or parent University and approved by the Executive Committee on the recommendation of the Commission.
 - c) The Head of the Khasi Traditional Medicine Institute.
 - d) Eight members, out of whom two are nominated each by the Executive Committee, the Commission, the Head of the institute and the Affiliated Institute.
- (3) The Managing Committee shall regulate following duties:
 - a) Formulate educational curriculum in the institute in accordance with the provisions of Section 5 of the Act.
 - b) Establish and maintain within or outside State campus and monitor the opening of a new programme or the closing down of an existing one on recommendation of the Commission within the provisions of Sub-section (3) of Section 5 of the Act.
 - c) Frame Statutes, Ordinance and Regulations of the Institute which have not been mentioned in this Rule under Sub-section (3) (a) of Section 5 of the Act.
 - d) Appoint in consultation with the Commission in respect of the region concerned, teachers on permanent or temporary basis against permanent or temporary vacancies;
 - e) other employees against the leave /lien / deputation vacancies; to extend, if it thinks fit, the service of any teacher or other employee if and when available, within the sanctioned strength and on approval by the Chairman of the Commission, such approval

being sought for within a fortnight from the date of decision of the committee in this behalf.

(4) The Institute shall execute following functions:-

- a) to provide for instruction in such branches of learning as the Institute may, from time to time, determine and to make provision for research and for the advancement and dissemination of knowledge.
- b) to make such academic steps as would contribute to the improvement of the economic conditions and welfare of the people of the Khasi community and the traditional medicine practitioners.
- c) to organise and to undertake extra-mural studies and extension services.
- d) to confer honorary degrees or other distinctions in the manner prescribed by the Statutes.
- e) to provide instruction, including correspondence and such other courses, to such persons as are not members of the Institute, as it may determine.
- f) to institute principalships, professorships, readerships, lecturerships, and other teaching or academic posts required by the Institute.
- g) to recognise persons for imparting instruction in Institute admitted to the privileges of the Institute.
- h) to appoint persons working in any other University or organisation as teachers of the Institute for a specified period.
- i) to co-operate or collaborate with any other University or Institute in such manner and for such purposes as the Institute may determine.
- j) to institute and award fellowships, scholarships, studentships, medals and prizes.
- k) to declare a College/Department, an Institution or a Department as an autonomous College or an Institution or a Department, as the case may be.
- l) to determine standards for admission into the Institute, which may include examination, evaluation or any other method of teaching.
- m) to demand and receive payment of fees and other charges.
- n) to supervise the residences of the students of the Institute and to make arrangements for promoting their health and general welfare.
- o) to make special arrangements in respect of women students as the Institute may consider desirable.
- p) to regulate and enforce discipline among the employees and students of the Institute and take such disciplinary measures in this regard as may be deemed necessary.
- q) to make arrangements for promoting the health and general welfare of the employees.
- r) to acquire, hold, manage and dispose of property, moveable or immovable, including trust and endowment properties for the purposes of the Institute.
- s) to borrow, with the recommendation of the Managing Committee and the approval of the Commission, on the security of the property of the Institute, money for the purposes of the Institute.
- t) to do all such other acts and things as may be necessary, incidental or conducive to the attainment of all or any of its objects.

(5) Every employee or student of the Institute shall, notwithstanding anything contained in this Rule, have a right to appeal, within such time as may be prescribed by the Statutes, to the Managing Committee against the decision of any office or authority of the Institute or of the Head or the management of any Department, as the case may be, and there-upon the Managing Committee may confirm, modify or reverse the decision appealed against.

6. PROTECTION AND PROMOTION OF KHASI TRADITIONAL MEDICINE:-

- 1. On the recommendation of the Commission, the District Council may declare an area as a medicine plant sanctuary as per the provisions of Section 6 of the Act.
- 2. On the recommendation of the Commission, the District Council may formulate rules and guidelines for collection by individual, institution and/or organization of medicinal plants used in the Khasi medicine system as per the provisions of Section [6{1 (c)}] of the Act.
- 3. On the recommendation of the Commission, the District Council may restrict on the trade and investments of individual/firm on raw and/or processed products and other permitted and prohibited activities of medicinal plants with special reference to the vulnerable species that are used in the Khasi traditional medicine system.
- 4. It shall be the duty of the Commission and the Institute to initiate steps for implementation of the provisions of Section 7 of the Act.

7. KHASI TRADITIONAL MEDICINE KNOWLEDGE RIGHTS:-

- 1. Whilst the Act recognises that persons belonging to Khasi community may not be denied the right, with other members of the community to enjoy their cultural rights of the Act, this Rules expressly states that the right may not be exercised in a manner inconsistent with any provision of the section 6 and 6 (A) Act.
- 2. The Commission shall act as the authority as and also when necessary intervene into the Khasi Traditional Medicinal Knowledge Rights and Protection as per the provision of the Section 6 and 6 (A) of the Act.
- 3. Any infringement of Section 6 (A) of the Act shall be referred for adjudication to the Judge of the Khasi Hills District Council (KHADC), Meghalaya.
- 4. The Courts at Shillong shall have exclusive jurisdiction to adjudicate on all dispute arising directly or indirectly from the Act.

8. ANNUAL REPORT AND ANNUAL ACCOUNTS:-

 The annual report of the Institute shall be prepared under the direction of the Managing Committee and shall be submitted to the Commission on or after such date as may be prescribed by the Statutes and the Commission shall consider the report in its annual meeting.

- 2. The Commission shall submit the annual report to the Executive Committee along with its comments, if any.
- 3. The annual accounts and balance sheet of the Institute shall be prepared under the directions of the Commission and shall, once at least every year and at intervals of not more than fifteen months, be audited by the Auditor appointed by the Executive Committee.
- 4. The annual accounts when audited shall be placed before the District Council.
- **9. APPEAL:** Any appeal may be heard and disposed of by two of its Executive Members appointed/nominated by the Executive Committee.

10. POWER TO AMEND, ADD TO, ALTER OR DELETE THE EXISTING RULES:-

The District Council may, from time to time, amend, add to, alter or delete the existing Rules, if and when it considers necessary, for carrying out the purpose of the Act.

APPENDIX - 'A'

Registration form for Traditional Healer

Gener	al Profile:	
1.	Name (Kyrteng)	:
2.	Gender (Kynthei/Shynrang)	:
3.	Correspondence Address (Jaka sah mynta)	:
4.	Permanent Address (Jaka sah pura)	•
5.	District	•
6.	State	0
' 7.	Education (Kyrdan jingpule)	:
8.	Occupation (Jingtrei jingktah)	:
9.	Specialization (Ki jait jingsumar ba u Nongsumar u la pyntbit ialade)	:
10.	Years of practice (Katno snem lah sumar briew?)	:
11. 12.	Annual Income from Practice in Rs. (Ka kamai shi snem na ka jingsumar) Contact number (Phone/Mobile)	:
13.	e-mail ID	
Occup	pational Profile:	
14.	Dreadful diseases treated (Jingpang ba shyrkhei ba sumar)	: 1. 2. 3. 4. 5. 6. 7. 8. 9.
15.	My medicines or formulations are (Ki dawai jong nga ki dei kiba) Tick √	Purchased (Shu thied pateng) O Self made (Shna hi dalade)

16.17.	No. of patients weekly? (Katno ngut ki nongpang haka shitaiew?) Do you maintain records on		O Patients details (Kyrteng /Rta/
	(Phi buh jingthoh halor kine?)		Shnong/ kiwei de jong u nongpang)
	Tick √	:	O Diseases treated (Jingpang ba sumar)
	N.B: Bsuh kawei ka attested photocopy	:	O Symptoms (Ki dak ki shin ka jingpang)
			O Types of treatment (Rukom sumar)
			O Duration of treatment (Jingjlan haka sumar)
			O Ingredients in medicines (Jingkhleh haka dawai)
			O Success / Failure (Jingjop / Bymlah sumar)
18.	Achievements details	:	1.
	(Ki kyrdan pynkup ne certificates)	:	2.
	N.B: Bsuh kawei ka attested copy		3.
			4.
			5.
			6.
			7.
			8.
			9.
			10.

Declaration

I hereby declare that the above particulars are true and correct to the best of my knowledge and belief and in the event of any information being found false or incorrect, my candidature will be liable to be cancelled.

Place:

Date:

Signature / thumb impression of the Applicant

19. Ten methods of medicine preparation (Batai 10 tylli ki rukomkhleh iaki dawai jongphi):

SI. No	Name of medicines (Ka kyrteng ka dawai)	Source of ingredients? (Nangno phi ioh jingkhleh?)	Disease treated (Jingpang ba sumar)	Ingredients with measurements (Ki jingkhleh bad ka jingthew)
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

20. Abundance of ingredients in nature (Ka jingdon ki jingkhleh ba shna dawai ha mariang)

	oundance of ingredients in r							
SI. No	Name of ingredient (Kyrteng u jingkhleh)		lection a		1	Status in		nal
INO	(kyrteng a jingkmen)	(Ku ju	(Ka jaka ba phi lum) (Ka jingdon haka mari				ika mana	rig)
1.		O Khlaw	○ Kper	○ Thied	O Pahuh	O Bun	O Duna	○ Snai
2.		○ Khlaw	○ Kper	○ Thied	O Pahuh	○ Bun	O Duna	○ Snai
3.		○ Khlaw	○ Kper	○ Thied	O Pahuh	O Bun	O Duna	O Snai
4.		○ Khlaw	○ Kper	○ Thied	O Pahuh	○ Bun	O Duna	○ Snai
5.		○ Khlaw	○ Kper	○ Thied	O Pahuh	O Bun	O Duna	○ Snai
6.		○ Khlaw	○ Kper	○ Thied	O Pahuh	○ Bun	○ Duna	○ Snai
7.		○ Khlaw	○ Kper	○ Thied	O Pahuh	O Bun	O Duna	○ Snai
8.		○ Khlaw	○ Kper	○ Thied	O Pahuh	O Bun	O Duna	○ Snai
9.		○ Khlaw	○ Kper	○ Thied	O Pahuh	○ Bun	O Duna	○ Snai
10.		○ Khlaw	○ Kper	○ Thied	O Pahuh	O Bun	O Duna	○ Snai
<u>,</u> 11.		O Khlaw	○ Kper	○ Thied	○ Pahuh	O Bun	O Duna	○ Snai
12.		○ Khlaw	○ Kper	○ Thied	O Pahuh	O Bun	O Duna	○ Snai
13.		O Khlaw	○ Kper	○ Thied	O Pahuh	O Bun	O Duna	○ Snai
14.		O Khlaw	○ Kper	○ Thied	O Pahuh	O Bun	O Duna	○ Snai
15.		O Khlaw	○ Kper	○ Thied	○ Pahuh	O Bun	O Duna	○ Snai
16.		O Khlaw	○ Kper	○ Thied	O Pahuh	O Bun	O Duna	○ Snai
17.		○ Khlaw	○ Kper	○ Thied	O Pahuh	○ Bun	O Duna	○ Snai
18.		○ Khlaw	○ Kper	○ Thied	○ Pahuh	○ Bun	O Duna	○ Snai
19.		O Khlaw	○ Kper	○ Thied	O Pahuh	O Bun	O Duna	○ Snai
20.		○ Khlaw	○ Kper	○ Thied	O Pahuh	O Bun	O Duna	○ Snai
21.		○ Khlaw	○ Kper	○ Thied	O Pahuh	O Bun	O Duna	○ Snai
22.		○ Khlaw	○ Kper	○ Thied	O Pahuh	O Bun	O Duna	○ Snai
23.		O Khlaw	○ Kper	O Thied	O Pahuh	O Bun	O Duna	○ Snai
24.		○ Khlaw	○ Kper	○ Thied	O Pahuh	O Bun	O Duna	○ Snai
25.		O Khlaw	○ Kper	○ Thied	O Pahuh	O Bun	O Duna	○ Snai
26.		O Khlaw	○ Kper	○ Thied	O Pahuh	O Bun	O Duna	○ Snai
27.		○ Khlaw	○ Kper	○ Thied	O Pahuh	O Bun	O Duna	○ Snai
28.		O Khlaw	○ Kper	○ Thied	O Pahuh	O Bun	O Duna	○ Snai
29.		O Khlaw	○ Kper	○ Thied	O Pahuh	O Bun	O Duna	O Snai
30.		O Khlaw	○ Kper	○ Thied	.O Pahuh	O Bun	O Duna	○ Snai
31.		O Khlaw	○ Kper	O Thied	O Pahuh	O Bun	O Duna	O Snai
32.		O Khlaw	○ Kper	○ Thied	O Pahuh	O Bun	O Duna	O Snai
33.		O Khlaw	○ Kper	O Thied	O Pahuh	O Bun	O Duna	○ Snai
34.		O Khlaw	○ Kper	○ Thied	O Pahuh	O Bun	O Duna	○ Snai
35.		O Khlaw	○ Kper	○ Thied	O Pahuh	O Bun	O Duna	○ Snai

APPENDIX – 'B'

REGISTER FOR REGISTERED KHASI TRADITIONAL MEDICINE PRACTITIONER

Remark No. of year of practice Specialization Address of Date birth /Age Gender (M/F) Name Date of Registration Registration # SI.#

Appendix - 'C'



The Khasi Traditional Medicine Commission

Khasi Traditional Medicine Practitioner

Name		Photo
Date of Birth		
Registration Number Gender		
Date of Issue	Valid upto	

Address: Shillong, Meghalaya 793002 (India)

Website: www.ktmc.nic.in

E-mail: chairmanktmc@gmail.com

Authorised Signature

	Signature of competent authority							
	Remark							·
	Reason for Removal							
	Date of Removal							
BACK	Address			,				· ·
	Name							
	Date of Registration							
	Registration number							
	SI.#							

APPENDIX - 'D'

This card have been issued after registration as a Khasi Traditional Medicine Practioner by the Khasi Traditional Medicine Commission as per the authority granted under Section 4 (e) of the Khasi Hills Autonomous District (Protection and Promotion of Khasi Traditional Medicine) Act, 2011. All registered practitioner are bound by the rules and regulation under the above Act so as to uphold the highest standards of Khasi traditional Medicine practice.

Signature of the Holder

Date:

*** If found, this card must be returned to the nearest government office of Meghalaya

REGISTER FOR REMOVAL OF REGISTERED KHASI TRADITIONAL MEDICINE PRACTITIONER

APPENDIX - D

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	Logo
The Khasi Traditional Medicine Commission (India)	Jia)
This is to certify that	
On the day of month and	nonth andyear
Having been submitted as a full member of the Khasi Traditional Medicine Commission (KTMC)	hasi Traditional Medicine Commission (KTMC)
Bearing Registration No.:is a qualified pra	is a qualified practitioner of
Khasi Traditional Medicine and Practices.	

to uphold the highest standards of Khasi Medicine and Practices.

All registered members of the Commission are bound by the Code of Ethics and Code of Practice of the Commission

Secretary

Chairman